

UTILITY PATENT
APPLICATION TRANSMITTAL
(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Check Box, if applicable [] Duplicate

APPLICATION ELEMENTS FOR:
CAPACITY CONTROL VALVE FOR VARIABLE DISPLACEMENT
COMPRESSOR

1. [XX] Fee Transmittal Form (Incorporated within this form)
(Submit an original and a duplicate for fee processing)
2. [XX] Specification Total Pages [24]
3. [XX] Drawing(s) (35 USC 113) Total Sheets [6]
4. [XX] Oath or Declaration Total Pages [2]
 - a. [XX] Newly executed (original)
 - b. [] Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed).
 - i. [] Deletion of Inventor(s)
Signed statement attached deleting inventor(s) named in prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
5. [] Incorporation by reference (useable if box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. [] Microfiche Computer Program (Appendix)
7. [] Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. [] Computer Readable Copy
 - b. [] Paper Copy (identical to computer copy)
 - c. [] Statement Verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. [XX] Assignment Papers (cover sheet and documents) to: TGK CO., LTD., Tokyo, Japan
Please publish the assignee data with the application.
9. [] 37 CFR 3.73(b) Statement (when there is an assignee) [XX] Power of Attorney

03916 U.S.PTO
10/673494

093003

UTILITY PATENT
APPLICATION TRANSMITTAL
(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No. 031733

First Named Inventor or Application Identifier

Tomokazu NAKAZAWA

PAGE 2 OF 3

10. English translation Document (if applicable)

11. Information Disclosure Statement Copies of IDS Citations (PTO-1449 w/2 Refs.)

12. Preliminary Amendment

13. Return Receipt Postcard (MPEP 503)

14. Small Entity Status is claimed.

15. Claim for Convention Priority Certified copy of Priority Document is enclosed.
a. Priority of Japanese application No. 2002-303998 filed on October 18, 2002 is claimed under 35 USC 119.

16. Other _____

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
 Continuation Division Continuation-in-part (CIP) of prior application no. ____/____

FEE TRANSMITTAL	Number Filed	Number Extra	Rate	Basic Fee \$750.00
The filing fee is calculated below				
Total Claims	6 - 20		x \$18.00	
Independent Claims	1 - 3		x \$84.00	
Multiple Dependent Claims			\$280.00	
			Basic Filing Fee	750.00
Reduction by 1/2 for small entity				
Fee for recording enclosed Assignment			\$40.00	40.00
TOTAL				\$790.00

UTILITY PATENT
APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.	031733
First Named Inventor or Application Identifier	
Tomokazu NAKAZAWA	
PAGE 3 OF 3	

A check in the amount of \$790.00 is enclosed to cover the filing fee of \$750.00 and the assignment recordation fee of \$40.00.

Please charge our Deposit Account No. **01-2340** in the total amount of _____ to cover the filing fee and the _____ assignment recordation fee. A duplicate of this sheet is attached.

The Commissioner is hereby authorized to charge payment for any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account No. **01-2340**. A duplicate of this sheet is attached.

18. CORRESPONDENCE ADDRESS:



23850

PATENT TRADEMARK OFFICE

SUBMITTED BY

Typed or Printed Name

William F. Westerman

Reg. No. 29,988

Signature

Date: September 30, 2003

WFW/yap

ARMSTRONG, WESTERMAN & HATTORI, LLP
Suite 1000, 1725 K Street, N.W.
Washington, D. C. 20006
Tel: (202) 659-2930
Fax: (202) 887-0357

of the help program (see col. 7:63-65). The tutorial provides explanatory information on principles, facilities, and typical tasks (see col. 7:66 to col. 8:1). The third level support fails to show or suggest tracking and storing the current operating mode of the application as a user operates the application and fails to show or suggest providing help information based on the stored current operating mode as required by applicants claimed invention.

None of the three levels of support discussed in Richards show or suggest tracking and storing the current operating mode of an application as a user operates the application and providing help information based on the stored current operating mode as required by applicants claimed invention.

The Examiner contends that "Microprocessor 10 [of Richards] tracks each menu and also items within each menu to provide different levels of help information based on the mode of operation of a menu" (Office Action, p.3). However, nowhere in Richards does it state that menus or items within menus are "tracked." Rather, as discussed above, Richards is silent on how some help information is provided and states that other help information is provided based on system variables that are set after the help information is requested. This fails to show or suggest applicants' claimed invention.

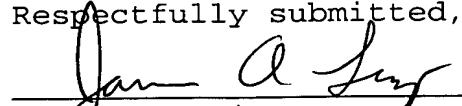
In view of the foregoing, even if it were obvious to combine Richards with Young, the combination would fail to show or suggest tracking and storing the current operating mode of an electronic television program guide as a user operates the guide and fails to show or suggest providing help information based on the stored current operating mode as required by applicants amended independent claims 1, 14, 27, and 40.

Accordingly, for at least the foregoing reasons, applicants submit that independent claims 1, 14, 27, and 40 and dependent claims 2, 4-7, 13, 15, 17-20, 26, 28, 30-33, 39, and 41-45, 47, and 52-59 should be found allowable over Richards, Young and Palmer. Therefore, the rejections of claims 1, 2, 4-7, 13-15, 17-20, 26-28, 30-33, 39-45, 47, and 52-59 should be withdrawn.

In view of the foregoing, claims 1, 2, 4-7, 13-15, 17-20, 26-28, 30-33, 39-45, 47, and 52-59 are in condition for allowance. This application is therefore in condition for

allowance. Reconsideration and allowance of the application
are respectfully requested.

Respectfully submitted,



James A. Leiz
Registration No. 46,109
Attorney for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000